REMARKS

1. Claims Rejections - 35 U.S.C. §102(b) – Claims 1-2, 4-5, 13-20, 22-23, 25-26, 34-44, 46-47, 55-62, 64-65, 67-68, 76-83, and 85

Claims 1-89 are pending in the present application. Claims 1-2, 4-5, 13-20, 22-23, 25-26, 34-44, 46-47, 55-62, 64-65, 67-68, 76-83, and 85 were rejected in the Office Action dated September 21, 2004, under 35 U.S.C. § 102(b) as being anticipated by Marchini et al. (GB Patent No. 2,251,112). Applicants respectfully traverse this rejection. However, in order to provide clarification, claims 1, 22, 42, 43, and 64 have been amended. Claims 1, 22, 42, 43, and 64 are independent claims. Claims 2, 4-5, and 13-20 depend from independent claim 1; claims 23, 25-26, and 34-41 depend from independent claim 22; claims 44, 46-47, and 55-62 depend from independent claim 43; and claims 65, 67-68, and 76-83 depend from independent claim 64. For brevity, only the bases for the rejection of the independent claims are traversed in detail on the understanding that dependent claims are also patentably distinct over the prior art as they depend directly from their respective independent claims. Nevertheless, the dependent claims include additional features that, in combination with those of the independent claims, provide further, separate, and independent bases for patentability.

The Examiner states, "Marchini teaches a gaming machine that includes a touch-screen device for controlling, in conjunction with a computer, a game including a slot machine game." However, the Marchini patent does not teach or suggest each and every element of the claimed invention, as amended. In this regard, the Marchini patent does not teach or suggest an enhanced mechanical reel gaming system utilizing a touch panel as a user control device for mechanical reel assemblies and game play features, wherein the touch panel enables user-control of reel spin direction and reel spin speed in correspondence with the direction and speed in which the touch panel is touched by a user.

While the Marchini patent discloses the use of a touch panel to start the spinning of reels (albeit only sufficiently disclosed for a video representation of a reel), the Marchini patent does not teach or suggest a touch panel with the ability to control both (1) the direction of reel spin, and (2) the speed of reel spin. This provides a "touch and drag" type of capability that is both desirable and unique. The Marchini patent does NOT contemplate any such element in its disclosure.

In conclusion, the Marchini patent does not teach or suggest each and every element of the claimed invention. Specifically, the Marchini patent does not teach or suggest an enhanced mechanical reel gaming system utilizing a touch panel, "wherein the touch panel enables user-control of reel spin direction and reel spin speed in correspondence with the direction and speed in which the touch panel is touched by a user." Accordingly, Applicants respectfully submit that the 35 U.S.C. § 102(b) rejection of claims 1-2, 4-5, 13-20, 22-23, 25-26, 34-44, 46-47, 55-62, 64-65, 67-68, 76-83, and 85 as unpatentable over Marchini has been overcome.

Additionally, it has come to the attention of the Applicants that the Examiner has not been affording the "real time" language of the claims any patentable weight. While the Applicants are currently pursuing patentability of the claims on other grounds, Applicants maintain a continued traverse to this opinion of the Examiner, and reserve the right to pursue the patentability of this claim element as part of the claimed invention in a continuation or divisional application.

2. Claims Rejections - 35 U.S.C. §103(a) – Claims 3, 24, 45, 66, and 86

Claims 3, 24, 45, 66, and 86 were rejected in the Office Action dated September 21, 2004, under 35 U.S.C. §103(a) as being unpatentable in view of Marchini et al., and further in view of Nolte et al. (U.S. Patent No. 6,165,070). Applicants respectfully traverse this rejection. However, in order to provide clarification, claims 1, 22, 43, and 64 have been amended. Claims 1, 22, 43, and 64 are independent claims. Claims 3 and 86 depend from independent claim 1; claim 24 depends from independent claim 22; claim 45 depends from independent claim 43; and claim 66 depends from independent claim 64. The bases for the rejection of the independent claims are traversed in detail on the understanding that dependent claims are also patentably distinct over the prior art as they depend directly from their respective independent claims. Nevertheless, the dependent claims include additional features that, in combination with those of the independent claims, provide further, separate, and independent bases for patentability.

The Examiner admits that Marchini does not teach the selective stopping capability utilized in the claimed invention. However, the Examiner states that Nolte teaches the selective stopping capability utilized in the claimed invention. The shortcomings of the Marchini patent have been fully discussed above. The Nolte reference does not resolve any of the Marchini

deficiencies, and thus, claims 3, 24, 45, 66, and 86 are patentable for the same reasons stated above in Section 1. Namely, the Marchini patent and the Nolte patent do NOT teach or suggest: an enhanced mechanical reel gaming system utilizing a touch panel, "wherein the touch panel enables user-control of reel spin direction and reel spin speed in correspondence with the direction and speed in which the touch panel is touched by a user." Accordingly, Applicants respectfully submit that the 35 U.S.C. § 103(a) rejection of claims 3, 24, 45, 66, and 86 has been overcome.

3. Claims Rejections - 35 U.S.C. §103(a) – Claims 4, 12, 34-41, 46, 54, 67, and 75

Claims 4, 12, 34-41, 46, 54, 67, and 75 were rejected in the Office Action dated September 21, 2004, under 35 U.S.C. §103(a) as being unpatentable in view of Marchini et al., and further in view of Bertram et al. (U.S. Patent No. 5,796,389). Applicants respectfully traverse this rejection. However, in order to provide clarification, claims 1, 22, 43, and 64 have been amended. Claims 1, 22, 43, and 64 are independent claims. Claims 4 and 12 depend from independent claim 1; claims 34-41 depend from independent claim 22; claims 46 and 54 depend from independent claim 43; and claims 67 and 75 depend from independent claim 64. The bases for the rejection of the independent claims are traversed in detail on the understanding that dependent claims are also patentably distinct over the prior art as they depend directly from their respective independent claims. Nevertheless, the dependent claims include additional features that, in combination with those of the independent claims, provide further, separate, and independent bases for patentability.

The Examiner admits that Marchini does not teach the specific type of touch screen utilized in the claimed invention. However, the Examiner states that Bertram teaches various types of touch screens, including those utilized in the claimed invention. The shortcomings of the Marchini patent have been fully discussed above. The Bertram reference does not resolve any of the Marchini deficiencies, and thus, claims 4, 12, 34-41, 46, 54, 67, and 75 are patentable for the same reasons stated above in Section 1. Namely, the Marchini patent and the Bertram patent do NOT teach or suggest: an enhanced mechanical reel gaming system utilizing a touch panel, "wherein the touch panel enables user-control of reel spin direction and reel spin speed in correspondence with the direction and speed in which the touch panel is touched by a user."

Accordingly, Applicants respectfully submit that the 35 U.S.C. § 103(a) rejection of claims 4, 12, 34-41, 46, 54, 67, and 75 as unpatentable has been overcome.

4. Claims Rejections - 35 U.S.C. §103(a) – Claims 21, 63, and 84

Claims 21, 63, and 84 were rejected in the Office Action dated September 21, 2004, under 35 U.S.C. §103(a) as being unpatentable in view of Marchini et al., and further in view of Wiltshire et al. (U.S. Patent No. 6,409,602). Applicants respectfully traverse this rejection. However, in order to provide clarification, claims 21, 63, and 84 have been amended. Claims 21, 63, and 84 are independent claims.

The Examiner admits that Marchini does not teach the use of a plurality of touch panel terminals. Further, the Examiner also states that Wiltshire teaches using multiple gaming terminals in a networked environment that can play reel type games. The shortcomings of the Marchini patent have been fully discussed above. The Wiltshire reference does not resolve any of the Marchini deficiencies, and thus, claims 21, 63, and 84 are patentable for the same reasons stated above in Section 1. Namely, the Marchini patent and the Wiltshire patent do NOT teach or suggest: an enhanced mechanical reel gaming system utilizing a touch panel, "wherein the touch panel enables user-control of reel spin direction and reel spin speed in correspondence with the direction and speed in which the touch panel is touched by a user." Accordingly, Applicants respectfully submit that the 35 U.S.C. § 103(a) rejection of claims 21, 63, and 84 as unpatentable has been overcome.

5. Claims Rejections - 35 U.S.C. §103(a) – Claim 87

Claim 87 was rejected in the Office Action dated September 21, 2004, under 35 U.S.C. §103(a) as being unpatentable in view of Marchini et al., and further in view of Franchi (U.S. Patent No. 5,770,533). Applicants respectfully traverse this rejection. However, in order to provide clarification, claim 1 has been amended. Claim 1 is the independent claim from which claim 87 depends. The bases for the rejection of independent claim 1 is traversed in detail on the understanding that dependent claim 87 is also patentably distinct over the prior art as it depends directly from independent claim 1. Nevertheless, dependent claim 87 includes additional features that, in combination with those of independent claim 87, provide further, separate, and independent bases for patentability.

The Examiner admits that Marchini does not teach a touch screen that also utilizes order services in the claimed invention. However, the Examiner states that Franchi teaches touch screens and order services as utilized in the claimed invention. The shortcomings of the Marchini patent have been fully discussed above. The Franchi reference does not resolve any of the Marchini deficiencies, and thus, claim 87 is patentable for the same reasons stated above in Section 1. Namely, the Marchini patent and the Franchi patent do NOT teach or suggest: an enhanced mechanical reel gaming system utilizing a touch panel, "wherein the touch panel enables user-control of reel spin direction and reel spin speed in correspondence with the direction and speed in which the touch panel is touched by a user." Accordingly, Applicants respectfully submit that the 35 U.S.C. § 103(a) rejection of claim 87 as unpatentable has been overcome.

6. New Claims 88 and 89:

New claims 88 and 89 depend from claim 1, and as such, are patentable for the same reasons stated above in Section 1. Namely, the none of the cited references teach or suggest: an enhanced mechanical reel gaming system utilizing a touch panel, "wherein the touch panel enables user-control of reel spin direction and reel spin speed in correspondence with the direction and speed in which the touch panel is touched by a user." Accordingly, Applicants respectfully submit that the new claims 88 and 89 are in condition for allowance.

7. Telephonic Interview of November 28, 2004

Applicants' representative and the Examiner conducted a telephonic interview on November 28, 2004, regarding the outstanding Office Action. During this telephonic interview the Applicants' representative queried the Examiner as to why it appeared that the "real time" aspects of the claimed invention were not addressed in the Office Action. The Examiner informed the Applicants' representative that, as currently claimed, the Examiner was not affording the "real time" language of the claims any patentable weight. Applicants maintain a continued traverse to this opinion of the Examiner. Applicants' representative agreed to file a written response to the Office Action.

## CONCLUSION

Applicants have made an earnest and bona fide effort to clarify the issues before the Examiner and to place this case in condition for allowance. In view of the foregoing discussions, it is clear that the differences between the claimed invention and the cited references are such that the claimed invention is patentably distinct over the cited references. Therefore, reconsideration and allowance of claims 1-89 is believed to be in order, and an early Notice of Allowance to this effect is respectfully requested. If the Examiner should have any questions concerning the foregoing, the Examiner is invited to telephone the undersigned attorney at (310) 712-8319. The undersigned attorney can normally be reached Monday through Friday from about 9:30 AM to 6:30 PM Pacific Time.

Respectfully submitted,

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